

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE BUILDING TRADES
EDUCATIONAL BENEFIT FUND, THE
BUILDING TRADES ANNUITY BENEFIT
FUND, BUILDING TRADES WELFARE
BENEFIT FUND, and BUILDING TRADES
PENSION FUND,

Plaintiffs,

-against-

CULVER ELECTRIC, LLC,

Defendant.

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**ORDER ADOPTING REPORT
AND RECOMMENDATION**
17-CV-3448 (DRH)(SLT)

Presently before the Court is the Report and Recommendation of Magistrate Judge Steven L. Tiscione, dated April 19, 2021 (the “R&R”), recommending that Plaintiffs’ renewed motion for damages be granted and that Plaintiffs be awarded damages as follows: \$1,339,981.55 in unpaid contributions, \$86,917.47 in interest on unpaid contributions, \$267,996.31 in liquidated damages, \$4,934.83 in audit fees, \$2,600 in attorney’s fees, and \$477.75 in costs, for a total damage award of \$1,702,907.91. More than fourteen (14) days have passed since service of the R&R and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72 and in accordance with the standard of review when no objections have been filed, this Court has reviewed the Report and Recommendation for clear error and finding none, now concurs in both its reasoning and its result. Thus, the Court adopts the April 19, 2021 Report and Recommendation of Judge Tiscione as if set forth herein. Accordingly,

IT IS HEREBY ORDERED THAT Plaintiffs' renewed motion for damages is granted and Plaintiffs are awarded \$1,339,981.55 in unpaid contributions, \$86,917.47 in interest on unpaid contributions, \$267,996.31 in liquidated damages, \$4,934.83 in audit fees, \$2,600 in attorney's fees, and \$477.75 in costs, for a total damage award of \$1,702,907.91 against Defendant Culver Electric LLC. The Clerk of Court is directed to enter judgment accordingly and to close this case.

SO ORDERED.

Dated: Central Islip, New York
May 12, 2021

s/ Denis R. Hurley
Denis R. Hurley
United States District Judge